

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PAULA J. SHAW,)
)
 Plaintiff,) CASE NO. 3:12-0247
) Chief Judge Haynes
 v.)
)
 TENNESSEE DEPARTMENT OF)
 TRANSPORTATION, et al.,)
)
 Defendants.)

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Docket Entry No. 12) that the Defendants' motion to dismiss Plaintiff's claims under the Family Medical Leave Act of 1993 ("FMLA"), 29 U.S.C. § 2601 et seq., be granted, in part and denied, in part. Plaintiff has not filed a response in opposition to the Report and Recommendation within the time provided by Fed. R. Civ. P. 72(b).

Upon de novo review, the Court **ADOPTS** the Report and Recommendation and Defendants' motion to dismiss (Docket Entry No. 6) is **GRANTED, in part**, to the extent that Plaintiff's claims for monetary damages under the Family Medical Leave Act, 29 U.S.C. § 2601 et seq., are **DISMISSED with prejudice**. The Defendants' motion to dismiss is otherwise **DENIED** on Plaintiff's remaining claims.

It is so **ORDERED**.

ENTERED this the 18th day of September, 2012.



WILLIAM J. HAYNES, JR.
Chief United States District Judge